

EXAMINER'S AMENDMENT

1. On the 1449 form filed with the IDS filed 2/25/03, the citation for Turco et al. is incomplete. A notices of references cited in included in this office action with a complete citation for the previously considered reference.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lisa Haile on February 4, 2009.

3. The application has been amended as follows:

Claims 2-4, 18, 44, 48-52, 55-61, 78, 83, 84, 85, and 86 have been cancelled.

In claim 1, the first line has been amended to delete the word "that" and insert ---wherein primers in the set---.

In claim 25, the language "wherein the mutation is located at nucleotides 3110, 3336, 3707, 4168, 6078, 6089, 6326, 7205-7211, 7415, 7433, 7535-7536, 7883, 8159-8160, 8298, 9164, 9213, 9326 of SEQ ID NO: 1, and wherein the presence of a mutation is indicative of a PKD 1-associated disorder" has been deleted and the language ---wherein the mutation is a sequence difference relative to SEQ ID NO: 1---- has been inserted therefor.

Claim 30 is REJOINED in this office action. The status identifier “Withdrawn” has been deleted, and the identifier ---Original--- has been inserted therefor.

In claim 32, the phrase “nucleotide sequence” has been deleted from the final line of the claim, and the word ---portion--- has been inserted therefor.

In claim 76, the language “or 44” has been deleted.

In claim 79, the language “the downstream” has been deleted and the language ---a second--- has been inserted therefor.

In claim 81, the language “the downstream” has been deleted and the language ---a second--- has been inserted therefor.

Claims 87-91 have been added:

Claim 87. The set of primers of claim 1, wherein said set of primers selectively hybridize to SEQ ID NO: 1 and amplify portions of SEQ ID NO: 1 comprising about 2043 to 4209; nucleotides 17907 to 22489; nucleotides 22218 to 26363; nucleotides 26246 to 30615; nucleotides 30606 to 33957; nucleotides 36819 to 37140; nucleotides 37329 to 41258; and nucleotides 41508 to 47320, or to a nucleotide sequence complementary to said sequence of SEQ ID NO: 1.

Claim 88. The set of primers of claim 87, wherein said set of primers comprises SEQ ID NO: 3 and 4; SEQ ID NO: 5 and 6; SEQ ID NO: 7 and 8; SEQ ID NO: 9 and 10; SEQ ID NO: 11 and 12; SEQ ID NO: 13 and 14; SEQ ID NO: 15 and 16; and SEQ ID NO: 17 and 18.

Claim 89. The method of claim 25, wherein the contacting step includes using a set of primer pairs to amplify multiple first amplification products, wherein said set of primers selectively hybridize to SEQ ID NO: 1 and amplify portions of SEQ ID NO: 1 comprising about 2043 to 4209; nucleotides 17907 to 22489; nucleotides 22218 to 26363; nucleotides 26246 to 30615; nucleotides 30606 to 33957; nucleotides 36819 to 37140; nucleotides 37329 to 41258; and nucleotides 41508 to 47320, or to a nucleotide sequence complementary to said sequence of SEQ ID NO: 1.

Claim 90. The method of claim 89, wherein said set of primer pairs comprises SEQ ID NO: 3 and 4; SEQ ID NO: 5 and 6; SEQ ID NO: 7 and 8; SEQ ID NO: 9 and 10; SEQ ID NO: 11 and 12; SEQ ID NO: 13 and 14; SEQ ID NO: 15 and 16; and SEQ ID NO: 17 and 18.

Claim 91. The method of claim 25, wherein the mutation is at a position selected from the group consisting of positions 3110, 3336, 3707, 4168, 6078, 6089, 6326, 7205-7211, 7415, 7433, 7535-7536, 7883, 8159-8160, 8298, 9164, 9213, and 9326 of SEQ ID NO: 1.

4. Claims 1, 16, 19, 25, 28, 29, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 76, 79, 80, 81, 82, 87, 88, 89, 90, and 91 are allowable. Claim 30, previously withdrawn from consideration as a result of a restriction requirement, contains all the limitations of an allowable claim. Pursuant to the procedures set forth in MPEP § 821.04(a), **the portion of the restriction requirement which resulted in the withdraw of claim 30, as set forth in the Office action mailed on 5/23/02, is hereby withdrawn** and claim 30 is hereby rejoined and fully examined for patentability under 37 CFR 1.104. Further, all combinations of primer pairs which include a

primer consisting of SEQ ID NO: 3 and all methods of use of a primer consisting of SEQ ID NO: 3 are hereby rejoined. In view of the withdrawal of the restriction requirement, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliet C Switzer whose telephone number is (571) 272-0753. The examiner can normally be reached on Tuesday or Wednesday, from 9:00 AM until 4:30 PM, and Thursday afternoon from 12:30 PM until 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached by calling (571) 272-0735.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-0507.

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available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

/Juliet C. Switzer/
Primary Examiner
Art Unit 1634

March 3, 2009